

Appln No. 09/517,541
Amdt. Dated September 22, 2004
Response to Office action of June 22, 2004

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REMARKS/ARGUMENTS

Claims 1 to 8 stand rejected under 35 USC 103(a) as being unpatentable over Park (USPN 5,673,223).

With respect Applicant disagrees. Claim 1 of the present application defines a method of shielding manipulations of the data stored in the chip from observation. Claim 1 defines one of the method steps as "*operating non-flashing CMOS structures in the chip, in which pMOS and nMOS transistors are driven such that they do not have intermediate resistance simultaneously during a change of state of the CMOS structure, to manipulate the secret data*".

This feature is not taught nor suggested by the device of Park. Park teaches a memory device and only teaches a method for storing data in the memory device. Whilst Park does describe that the memory device has both pMOS and nMOS structures, the write operation of the memory device, which is described at column 5, lines 7 to 27, does not describe that during the write operation, the pMOS and nMOS transistors are driven so that they do not simultaneously have an intermediate resistance during the write operation.

The Examiner has sort to add to the disclosure of Park, that the operation of conventional CMOS inverters is well known in the art. Whilst CMOS inverters may be well known, Applicant submits that their use in the context defined in claim 1 is not. With respect, Examiner has failed to demonstrate that the step of operating conventional CMOS inverters *adjacent the non-flashing CMOS structures at the same time* is obvious, in particular in the present context defined by present claim 1, namely, as a step in a method of shielding manipulations of data.

Accordingly, Applicant submits that the Examiner's combination of teachings is inappropriate and that therefore the invention defined by claim 1 is not obvious over Park and that claim 1 is patentable.

Applicant further submits that because each of claims 2 to 4 are dependent on claim 1, that these claims are also patentable.

In respect of the independent device claim, claim 5, Applicant submits that the arguments advanced in respect of claim 1 are equally applicable to the device defined in claim 5. Accordingly, Applicant respectfully submits that claim 5, and claims 6 to 8 which are each dependent on claim 5, are patentable over Park.


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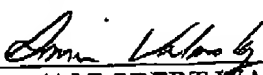
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Applicant contends that this response is fully responsive to each of the issues raised in the Office Action, and accordingly, reconsideration of the grounds of rejection is respectfully requested.

Very respectfully,

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